

Application No. 10/594,307
Client Docket: NE353-PCT(US) (Attorney Docket: TAK.054)

REMARKS

Entry of this amendment is proper because it narrows the issues on Appeal and does not require further search by the Examiner, and the only claim amendments place all remaining claims into condition for allowance.

Claims 1-5, 7, 10-19, 22, 25, and 27-28 are all the claims currently pending in the present application. By this Amendment, allowable claims 27-28 are amended to be in independent form, including all features and limitations of the claims from which they previously depended, and claims 8-9, 20-21, 23-24, and 26 are canceled without prejudice or disclaimer. The amendments introduce no new matter.

It is noted that the claim amendments, if any, are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant appreciates the Examiner's indication that claims 1-5, 7, 10-19, 22, and 25 are allowed, and that claims 27-28 would be allowable if rewritten in independent form. Although Applicant completely and strenuously disagrees with the Examiner's reasoning, the claims are amended hereby solely in the interest of expediting prosecution.

Claims 8-9, 20-21, 23-24, and 26 stand rejected under 35 U.S.C. §103(a) over Ma (US 6,891,865) in view of Chin, et al. (US 6,643,421) and Po (US 4,852,117) and Po (US 4,852,117). The rejected claims are canceled by this amendment, without prejudice or disclaimer, thereby rendering the rejection moot.

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Therefore, Applicant respectfully requests the Examiner to reconsider and promptly allow claims 1-5, 7, 10-19, 22, 25, and 27-28, all the claims currently undergoing examination.

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CONCLUSION

In view of the foregoing, Applicant submits that claims 1-5, 7, 10-19, 22, 25, and 27-28, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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